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| 10/040,734 | 01/04/2002 | David Betz | 019223-001510US | 3593 |
| 22434 | 7590 | 12/13/2006 | EXAMINER | |
| BEYER WEAVER & THOMAS, LLP | | | ZHAO, DAQUAN | |
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2621

DATE MAILED: 12/13/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/040,734

Applicant(s)

BETZ ET AL.

Examiner

Daquan Zhao

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 November 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 01 January 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 11/06/2006.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____.

DETAILED ACTION

Response to Arguments

Applicant's arguments filed 11/06/2006 have been fully considered but they are not persuasive.

In re page 6, applicant argues **"Nowhere does Abecassis teach storing the file/video map"**.

In response, the examiner respectfully disagrees. Abecassis discloses in column 27, lines 31-43 that **"Specifically in a DVD implementation, the video map or navigation data is included in a digital format and the video content is included in a digital compressed format in one or more spiral tracks."** Thus, Abecassis does teach storing the video map in the spiral tracks of the DVD in a digital format.

In re page 7, applicant argues the editor and the viewer/user are different.

In response, the examiner respectfully disagrees. Claim 1 requires "A method for enabling a viewer to create a customized video presentation from one or more preexisting digital video titles..." Abecassis discloses a viewer create a customized video presentation (e.g. column 59, lines 30-39, viewer move the target pointer 1521 to select interest point in the video frame) from one or more preexisting digital video titles (the preexisting digital video titles is on the left side of figure 15 or 1371 of figure 13). Thus, the teaching of Abecassis meets the limitation of the claim 1 recited above.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-5, 9, 11, 16 are rejected under 35 U.S.C. 102(e) as being anticipated by Abecassis (US 6,408,128 B1).

For claim 1, Abecassis discloses a method for enabling a viewer to create a customized video presentation (e.g. column 59, lines 30-39, viewer move the target pointer 1521 to select interest point in the video frame) from one or more preexisting digital video titles (the preexisting digital video titles is on the left side of figure 15 or 1371 of figure 13), the method comprising:

- Selecting a video frame from the one or more preexisting digital video titles (e.g. figure 13, column 55, lines 1-7, figure 15, image 1510, column 59, lines 22-39);
- Selecting one or more interest points in the video frame (e.g. figure 15, target pointer 1521); and
- Manipulating the one or more interest points in the video frame (e.g. figure 15, 1520, 1524, 1526 and 1527, column 59, line 22- column 60, line 19,

manipulating the interesting point by displaying the target at the center of the window);

- Storing a file on a digital video disc (DVD) (column 27, lines 31-43, storing the video map in the spiral track of the DVD), said file storing the manipulated video frame and having identifiers for relating the manipulated video frame and one or more interest points to the one or more preexisting digital video titles. (e.g. "video map", column 60, lines 18-31, column 21, line 56 – column 22 line 5, and column 5, line 8-10 defines "segment").

For claim 2, Abecassis discloses the method of claim 1, wherein said single video frame is a z-frame (e.g. figure 13, video, column 55, lines 1-7, and figure 15, 1511, 1521. page 4, lines 3-7 of the specification defines the z-frame as a point of interest in a video and a z-frame is also a single frame of a video where the video is paused and manipulated for the viewer's benefit).

For claim 3, Abecassis discloses the method of claim 1 further comprising the step of manipulating the z-frame using a function chosen from the group consisting of zoom, pan, and gamma correct (e.g. column 60, lines 18-31, "targets of magnification").

For claim 4, Abecassis discloses the method of claim 1, wherein said interest point is a vista point (e.g. figure 15, 1521, column 60, lines 18-31, "targets of magnification". Page 8, lines 24-25 defines the vista points can be portions of a single video frame, portion of a single video scene or series of video frames).

For claim 5, Abcassis discloses the method of claim 4, the method further comprising: selecting a pause time for the video frame, wherein the pause time controls the duration of any display of the z-frame (e.g. column 55, lines 22-29, "duration").

For claim 9, Abcassis teaches the method of claim 1, wherein the identifying the interest point further comprises identifying a zoom level for the interest point (e.g. column 59, lines 11-22, "desired zoom level").

For claim 11, Abecassis teaches a composer for enabling a viewer to create a z-frame from an enhanced digital video disk (DVD), said composer comprising:

A user interface for enabling a viewer to enter information associated with a z-frame of a video, wherein the z-frame is composed of one or more vista points (e.g. figure 15 shows the user interface for the user to choose the point of interest in a video frame by using a targeting pointer 1521, column 59, lines 23-39);

A user interface enabling a viewer to enter a control for said z-frame (e.g. figure 15, column 59, line 23 – column 60, line 18, viewer is provided the option to define the target's relationship to the center of the window);

A vista points chart for listing the one or more vista point associated with the z-frame (column 27, lines 31-43, the target is stored in the DVD as a video map. It must have a list of at least one target);

A vista point setting area, said vista point setting area having a user interface for enabling a viewer to enter an x-coordinate and y-coordinate for each of the one or more

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vista points (e.g. figure 15, column 59, line 23 – column 60, line 18, the target pointer 1521 defines the x and y coordinate of the point of interest in the video frame); and

A means for storing the information associated with the z-frame, the controls for said z-frame, and the x-coordinates and y-coordinates of the one or more vista points (column 27, lines 31-43, the target is stored in the DVD as a video map. The target is defined by the target pointer that must identify the x and y coordinate of the target in the video frame);

For claim 16, Abecassis teaches a system for displaying a viewer-customized video frame with one or more interest points, the viewer-customized video game associated with a title on a digital video disk (DVD), said system comprising:

- A DVD reference player (e.g. column 6, lines 12-31, “a DVD player” and “net surfboard”);
 - A computer coupled said DVD reference player that enables a user to identify a video frame from the title on the digital video disk, identify one or more interesting points in the video frame, and manipulate the one or more interest points in the associated video frame (e.g. column 6, lines 12-31, “a multimedia computing device”);
 - A DVD emulator coupled to said DVD reference player for storing a file having identifiers for the video frame and the one or more interest points and for imitating a DVD (e.g. column 6, lines 31-46, Multimedia Player);
- and

- A display coupled to said DVD reference player (e.g. column 7, lines 57-67, monitor).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 6, 8, 10, 14, and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Abecassis (US 6,408,128 B1) as applied to claims 1-5, 9, 11, 16 above, and further in view of Kaji et al (US 2002/0,018,136 A1).

See the teaching of Abecassis above.

For Claims 6, 8, and 10, Abecassis fails to teach the following:

- Entering a gamma correction for the interest point of the z-frame.
- Selecting a gamma correction for the interest point.
- Identifying an x-coordinate and a y-coordinate for the interest point.

Kaji et al teaches the gamma correction on each color signal and luminance signal (e.g. column 10, paragraph [154]), and Kaji et al also teaches identifying an x-coordinate and a y-coordinate for the enlargement center (e.g. column 9, paragraph [136]). It would have been obvious for one ordinary skill in the art at the time the

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invention was made to incorporate the teaching of Kaji et al into the teaching of Abecassis to limit the center position of the enlargement display process to a certain specified area within the image area, thereby, preventing enlarged display of a black portion not containing image information and minimizing the unnatural displacement of the image center at the shift from the ordinary image display state to the enlarged display state (Kaji et al, column 10, paragraph [153]).

For claims 14, and 15, Abecassis teaches a composer for creating a z-frame from an enhanced digital video disk (DVD), said composer comprising: a user interface for entering a zoom level for the one or more vista points (e.g. column 59, lines 11-22, "desired zoom level"); However, Abecassis fails to teach a gamma correction level for the one or more vista points. Kaji et al teaches the gamma correction on each color signal and luminance signal (e.g. column 10, paragraph [154]). It would have been obvious for one ordinary skill in the art at the time the invention was made to incorporate the teaching of Kaji et al into the teaching of Abecassis to limit the center position of the enlargement display process to a certain specified area within the image area, thereby, preventing enlarged display of a black portion not containing image information and minimizing the unnatural displacement of the image center at the shift from the ordinary image display state to the enlarged display state (Kaji et al, column 10, paragraph [153]).

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Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Abecassis (US 6,408,128 B1), as applied to claims 1-5, 9, 11, 16 above, and further in view of Nagasawa et al (US 6,141,484).

For claim 7, Abecassis teaches the video plays can be stop (e.g. column 16, column 53, line 60-67, "point in which the pause occurred"). However, Abecassis fails to teach the pre-roll time. Nagasawa teaches the pre-roll time prior to the video frame, wherein said pre-roll time is the amount of time the video plays to stopping on the video frame (e.g. column 11, lines 39-41). Therefore, It would have be obvious for one ordinary skill in the art at the time the invention was made to incorporate the teaching of Nagasawa into the teaching of Abecassis to provide an editing method in which a comfortable and convenient editing circumstance can be given to the editing operator (Nagasawa, column 5, lines 11-14).

Claims 12 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Abecassis (US 6,408,128 B1), and of Kaji et al (US 2002/0,018,136 A1) as applied to claims 1-5, 9, 11, 16 above, and further in view of Nagasawa et al (US 6,141,484).

For claims 12 and 13, Abecassis teaches a control for pause time and the z-frame (e.g. column 53, line 60-67). However, Abecassis fails to specify the pre-roll time. Kaji et al fails to teach none of the above. Nagasawa et al discloses the pre-roll time (e.g. column 11, lines 39-41). Therefore, It would have be obvious for one ordinary skill in the art at the time the invention was made to incorporate the teaching of Nagasawa into the teaching of Abecassis and Kaji et al to provide an editing method in which a

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comfortable and convenient editing circumstance can be given to the editing operator (Nagasawa, column 5, lines 11-14).

Applicant's amendment necessitated the new ground(s) of rejection presented in this office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEG § 706.07

(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136

(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing data of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing data of this action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period. Then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing data of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

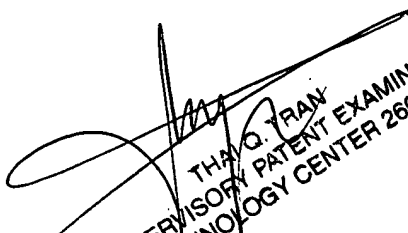
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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Daquan Zhao whose telephone number is (571) 270-1119. The examiner can normally be reached on M-Fri. 7:30 -5, alt Fri. off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tran Thai Q, can be reached on (571)272-7382. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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